

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 1:30 P.M. Present: Honorable James A. Ardaiz, Acting Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Timothy S. Buckley, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Joe G. Lopez, Senior Deputy Clerk.

F031391 People v. Ewell et al.

Cause called and argued by Dennis P. Riordan, Esq., counsel for appellant Dana James Ewell and by Kyle Gee, Esq., counsel for appellant Joel Patrick Radovcich and by Connie Proctor, Esq., Deputy Attorney General, counsel for respondent .

Cause ordered submitted.

Court recessed until Tuesday, April 13, 2004 at 10:00 A.M.

F041738 People v. Alvarado

The convictions on counts one and two are affirmed. The conviction on count three is reversed and the multiple-victim finding is stricken. The district attorney shall have 30 days after the remittitur is filed in which to give notice of his intent to seek retrial on count three and the attendant special allegations. If the district attorney fails to give such notice, the court shall resentence appellant on the remaining counts. Levy, J.

We concur: Dibiaso, Acting P.J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042061 Foos-Baasham v. Roberts

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE

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F041516 People v. Arnold

The judgment of conviction on count two, grand theft (Pen. Code 484), is reversed. The trial court is directed to amend the abstract of judgment and forward copies to the appropriate authorities. In all other respects the judgment is affirmed. Levy, J.

We concur: Dibiaso, Acting P.J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F043633 People v. Cobb

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F043633 People v. Cobb

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]